

In the matter of Request for Review  
by The Cradle of Decision of Universal Service Administrator  
**CC Docket No. 02-6**

To: Federal Communications Commission:

Full Commission

Office of the Secretary  
445 12<sup>th</sup> Street SW  
Washington DC 20554

Received & Inspected

JUL 02 2015

From: Kathleen Blossom, Director

FCC Mail Room

The Cradle: BEN 16025716 FCC Reg. # 0014166623  
213 Hailey Rd Berryville AR 72616  
870 423 6811- same for FAX  
thecradle@windstream.net

Regarding: Request for Waiver of Demand Payments by USAC for  
Applications: 591853, 652683, 711947, 831131, 879327.

Statement Setting Forth

Our Agency's Interest In The Matter Presented For Review:

Our agency seeks relief from the Demand Payments proceedings initiated  
by USAC- asserting that our agency is an "ineligible entity."

Statement Of Relevant, Material Facts With Supporting Documentation:

One of the USAC rules of operation requires reliance on the judgment of a  
state library agency to determine eligibility of an applicant library. Most  
likely it was not a foreseen circumstance that a state library agency would  
not be in sync with the purposes of LSTA (The Library Services and Technology Act  
of 1996 amended in 2003 and 2010) which is expansive and not exclusionary.  
Because of the deficiency of the Arkansas State Library agency our library  
service is being excluded from access to resources...one of the very  
purposes of LSTA. Our library service, as a local community volunteer  
nonprofit, is woefully denied and burdened with retribution, while the AR  
State Library escapes its responsibility to carry out the purposes of LSTA.  
If our agency were located in the state of Washington, our library service  
would be considered a "special library" with access to Erate discounts.

*"The range of libraries served also changed with the enactment of LSTA.  
Originally, public libraries were primarily served by LSCA. With the  
passage of LSTA, all types of libraries are served, including public, school,  
academic, and special."* [http://en.wikipedia.org/wiki/Library\\_Services\\_and\\_Technology\\_Act](http://en.wikipedia.org/wiki/Library_Services_and_Technology_Act)

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The Question Presented For Review,  
With Reference To Statutory Provision:

It would seem that the “federal” perspective of Universal Service would override the inequality of operating in a state with a deficient state library administration. The oversight occurring here is in the presumption that the state library agency is operating “under LSTA.” It is LSTA, not the state library personnel that should govern. Since this is not the case, the very agency that LSTA is meant to serve is in jeopardy.

“Under LSTA” three of the first four purposes include the phrase “in all types of libraries”:

**20 U.S. Code § 9121 – Purpose**

It is the purpose of this subchapter—

- (2) to promote continuous improvement in library services in **all types of libraries** in order to better serve the people of the United States;
- (3) to facilitate access to resources in **all types of libraries** for the purpose of cultivating an educated and informed citizenry;
- (4) to encourage resource sharing **among all types of libraries** for the purpose of achieving economical and efficient delivery of library services to the public;
- (5) to promote literacy, education, and **lifelong learning** and to enhance and expand the services and resources provided by libraries, including those services and resources relating to workforce development, 21st century skills, and digital literacy skills;

The Arkansas State Librarian discriminates against our entity because of neglect in fulfilling the purposes of LSTA: “in all types of libraries.”

By her own admission, the AR State Librarian states: *“We have no mechanism in place for certifying the eligibility of private or special libraries for federal funds in accordance with...(LSTA).”* (see attachment) This is contrary to the requirements of the State plan as set forth in LSTA:

**20 U.S. Code § 9122 – Definitions** Current through Pub. L. 113-296, except 113-287, 113-291, 113-295.

**(5) State plan**

The term “State plan” means the document which gives assurances that the officially designated State library administrative agency has the fiscal and legal authority and capability to administer all aspects of this subchapter, provides assurances for establishing the State’s policies, priorities, criteria, and procedures necessary to the implementation of all programs under this subchapter, submits copies for approval as required



by regulations promulgated by the Director, identifies a State's library needs, and sets forth the activities to be taken toward meeting the identified needs supported with the assistance of Federal funds made available under this subchapter. <https://www.law.cornell.edu/uscode/text/20/9122>

The AR State Librarian further admits that only public libraries, not private or special libraries, are "certified." Although she has the designated authority by title to be expected to exert her discretion in fulfilling the purposes of LSTA, she has not capacitated her agency "under LSTA" to do so. No one has "discretion" to subvert the law. The standards set by the AR State Library agency exclude the very types of libraries meant to be served under LSTA.

Our agency's library service certainly qualifies under the purposes of LSTA to be eligible for Erate discounts, except for the deficiency of the AR state library administration. According to:

**47 CFR § 54.501** Eligibility for services provided by telecommunications carriers. . (b) *Libraries*. (1) Only libraries eligible for assistance from a State library administrative agency under the Library Services and Technology Act (Pub. L. 104-208) ...

-a state library agency must be operating under LSTA in order to determine eligibility.

The Erate Coordinator of the AR State Library, who was hired in 2010, made the determination of ineligibility against our agency; she further required that our agency become a public library before she would allow eligibility for Erate discounts. However the very first priority mentioned for the LSTA sec. 206 Grants to States Program is: "...expand services...in all types of libraries." (20 U.S. Code § 9141 - Grants to States)

The disregard shown here for our community-based agency was first a disregard for the purposes and priorities of LSTA.

Our agency will continue its library service to the community. It's been a great effort and labor of love. It doesn't deserve to be subjected to Demand Payments because of a glitch in the system.

Statement Of The Relief Sought And Regulatory Provision  
Pursuant To Which Such Relief Is Sought:

We earnestly petition for a waiver of the sum of the Demand Payments made by USAC: \$5116.18.

The relevant regulatory provision: *"must be eligible for assistance from a state library administrative agency under that Act."*

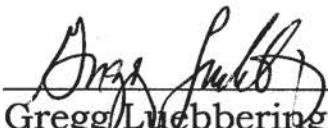
<http://www.usac.org/sl/applicants/beforeyoubegin/definitions.aspx>.

Insofar as the Arkansas state library administrative agency has not capacitated itself to carry out the purposes of LSTA, it has left our agency unserved and "left behind" in this technological age. The retribution should be sent there.

Thank you.

Supporting Documentation:

- >Letter of Recognition of our library service by regional librarian
- >Email from AR State Librarian: "We have no mechanism in place..."
- >Line by line response of entity to USAC's explanation of denial
- >Sample: 1 of 6 "Past Due Notices Demand Payment Letter Second Request" from USAC
- >12 Funding Commitment Adjustment Reports (with reasons) to recover funds disbursed

  
Gregg Liebbering  
President of the Board

date: 6/25/15

  
Kathleen Blossom, Director

date: 6-25-15



**THE CARROLL AND MADISON**  
*Library System*

*Administration*

106 Spring Street  
Berryville, Arkansas  
72616-3846

Phone 870-423-5300

Fax 870-423-7117

[admin@carrollmadisonlibraries.org](mailto:admin@carrollmadisonlibraries.org)

July 22, 2005

Received & Inspected

JUL 02 2015

FCC Mail Room

Kathleen Blossom  
The Cradle  
The Maternity Support Center of Carroll County, Inc.  
304 West Freeman  
Berryville, Arkansas 72616

Dear Ms. Blossom,

Thank you for the recent the tour of The Cradle. I was impressed not only with your book collection, which you lend out to the community, but also with the variety and content of area-agency pamphlets, which you distribute to the public free-of-charge.

The Cradle serves an important role as a resource center for the community and compliments the resources we make available in our public libraries in Carroll County.

Good luck with your future expansion!

Best wishes,

Jean Elderwind,  
Administrator



copy



**Date:** Tuesday, April 29, 2014 4:00 PM  
**From:** Carolyn Ashcraft <carolyn@library.arkansas.gov>  
**To:** The Cradle <thecradle@windstream.net>  
**Cc:** Amber Gregory <amber@library.arkansas.gov>  
**Subject:** RE: Arkansas Freedom of Information Request

Received & Inspected

JUL 02 2015

FCC Mail Room

Ms. Blossom:

I received your email of April 24, 2014, at 4:50 p.m. In reference to your request for "*copies of State Library Policy that excludes private libraries that serve the public from eligibility for the Universal Service E-rate discount*", there is no established policy. We have no mechanism in place for certifying the eligibility of private or special libraries for federal funds in accordance with the Library Services and Technology Act of 1996 (LSTA). LSTA provides discretion to the individual State Libraries on whether to certify private or special libraries. While we acknowledge the important role private libraries have in our state, by nature, we do not regulate private libraries and make no determination as to the eligibility of private libraries for LSTA (and therefore E-rate) funding.

The practice of the Arkansas State Library has been to determine the eligibility of public libraries, as established according to the Arkansas Statutes Annotated § 13-2-101 et. seq., and Arkansas Constitution Amendments 30 and 38. For our reporting purposes, public libraries meet the criteria in the definition of a public library developed by the Federal-State Cooperative System (FSCS) and provide, at a minimum, the following:

- o An organized collection of printed or other library materials, or a combination thereof;
- o Paid staff;
- o An established schedule in which services of the staff are available to the public;
- o Facilities necessary to support such a collection, staff, and schedule; and
- o Support in whole or in part with public funds.

Please let me know if you have any further questions.

Respectfully,

Carolyn Ashcraft

Carolyn Ashcraft, Director/State Librarian

Arkansas State Library / 900 West Capitol Avenue, Suite 100 / Little Rock, AR 72201-3108

501.682.1526 phone / 501.682.1899 fax / carolyn@library.arkansas.gov

## Explanation by USAC of Denial after Appeal (6-20-14):

## Response by Denied Entity (The Cradle):

<p>"FCC rules require that discounts are to be provided only to entities eligible to receive funding."</p>	<p>Our Library is eligible "under LSTA" Section 212 (3) "To facilitate access to resources <u>in all types of libraries</u> for the purpose of cultivating an educated and informed citizenry"</p>
<p>"The Coordinator of E-Rate services has advised USAC that The Cradle is not recognized by the Arkansas State Library as an eligible public library of the state under the 1996 Library Services and Technology Act..."</p>	<p>LSTA does not limit services to only "public libraries" but on the contrary, <u>three</u> of its <u>first</u> four purposes specifically mention: <u>"in all types of libraries."</u></p>
<p>"The Cradle is a private library, and Arkansas does not recognize private libraries."</p>	<p>The E-Rate Coordinator has mistakenly called The Cradle a private library, when it is in fact a community-based non-profit agency. Even so, 20 U.S. Code § 9122 (1) (E) allows the Arkansas State Library to include "private or special libraries."</p>
<p>"Since funding was provided to an ineligible entity, the program rules have been violated."</p>	<p>The Bootheel Consortium Directive FCC 0762 has been violated, as USAC has not "offered to work with the applicant and the relevant state agency to resolve the eligibility status of the entity."</p>
<p>"FCC regulations enacted pursuant to 47 USC sec 254 (h) (4) provide in relevant part, that only libraries eligible for assistance from a State Library Administration Agency under LSTA Public Law 104-208 and not excluded under paragraphs (b)(2) or (b)(3) of this section shall be eligible for discounts under this subpart 47 CFR sec 54.501 (b)(1)"</p>	<p>"Under LSTA" <u>three</u> of the <u>first</u> four purposes include the phrase <u>"in all types of libraries"</u> The Arkansas State Librarian discriminates against our entity because of neglect in fulfilling the purposes of LSTA: <u>"in all types of libraries."</u> Although she has the designated authority by title to be expected to make such decisions, she has not capacitated her agency "under LSTA" to carry out the purposes of LSTA.</p>



Explanation by USAC of Denial  
after Appeal (6-20-14):

page 2

Response by Denied Entity (The Cradle):

<p>"USAC concluded that you were ineligible to receive support because your State Library Administrative Agency determined that you were ineligible for assistance under the LSTA."</p>	<p>In fact, the Arkansas State Librarian is "ineligible" to make such a determination because she has not capacitated her agency to carry out the purposes of LSTA according to 20 US Code § 9134 (b) (5). Our application has been woefully denied because:</p> <ol style="list-style-type: none"> <li>1. The Arkansas State Librarian has neglected to use her "discretion" to serve "<u>all types of libraries</u>."</li> <li>2. The Arkansas State Librarian has neglected to capacitate her agency "to provide assurances for establishing the States policies, priorities, criteria and procedures necessary to the implementation of all programs under this subchapter..." 20 US Code § 9122 (5).</li> <li>3. The Arkansas State Librarian has ignored 20 US Code § 9141 (a)(1) to use funds to expand services "<u>in all types of libraries</u>."</li> <li>4. The Arkansas State Librarian has disregarded our agency's application in spite of the law "to develop...private partnerships with other agencies and community-based organizations according to 20 US Code § 9141 (a)(4).</li> </ol>
<p>"Requests for Review of Decisions of the Universal Service Administrator by Bootheel Consortium, Silver city, New Mexico, et.al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-309634, et al., CC Docket No. 02-6, Order, 22 FCC Rcd 8747, FCC 07-62 para. 10 (May 8, 2007)"</p>	<p>This section also includes the directive by the FCC to USAC: Para. 10 (2) "offer to work with the applicant and the relevant state agency to resolve the eligibility status of the entity." This has not been done.</p>





Received & Inspected

JUL 02 2015

FCC Mail Room

Schools and Libraries Division

**Demand Payment Letter  
SECOND REQUEST**

( Funding Year 2009: July 1, 2009 - June 30, 2010 )

June 4, 2015

Kathleen Blossom  
THE CRADLE  
213 HAILEY  
BERRYVILLE, AR 72616

**- PAST DUE NOTICE -**

**THIS NOTICE PROVIDES IMPORTANT INFORMATION ABOUT YOUR  
ACCOUNT AND YOUR RIGHTS AND OBLIGATIONS UNDER LAW**

Re: Form 471 Application Number:	652683
Funding Year:	2009
Applicant's Form Identifier:	APP5
Billed Entity Number:	16025716
FCC Registration Number:	0014166623
SPIN:	143030766
Service Provider Name:	Windstream Communications, LLC
Service Provider Contact Person:	William Elliott
Payment Due By:	6/4/2015

You were recently sent a Demand Payment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to this letter. Our records indicate that you have not responded to the Demand Payment Letter. As of 06/04/2015, the debt is 31-60 days past due. Because you did not pay the full amount, it is past due (delinquent), and it is legally enforceable.

**THE FOLLOWING PROVISIONS CONTAIN IMPORTANT INFORMATION AND A DESCRIPTION OF LEGAL RIGHTS, OBLIGATIONS, AND OPPORTUNITIES**

1. Pursuant to the provisions of the Debt Collection Act of 1982 (Public Law 97-366) and the Debt Collection Improvement Act of 1996 (Public Law 104-134), as amended (the DCIA), as set forth below, continued failure to make the demanded payment has resulted in the assessment of administrative charges, penalties, and interest, and it may result in sanctions, including, but not limited to, administrative proceedings or judicial action to recover the outstanding debt.
2. Unless we receive full payment, evidence that the debt is not owed, or a request for installment payment plan for repaying the outstanding debt within 30 days of the date of this letter (Demand Date), pursuant to the DCIA, you may incur additional charges and costs, and the debt may be transferred to the Secretary of Treasury Treasury for debt collection. The FCC has determined that the funds are

owed to the United States pursuant to the provisions of 31 U.S.C. § 3701 and 47 U.S.C. § 254. Because the unpaid amount is a debt owed to the United States, we are required by the DCIA to impose interest and to inform you what may happen if you do not pay the full outstanding debt. Under the DCIA, the United States will charge interest from the date of this notice, and you will be required to pay the administrative costs of processing and handling a delinquent debt as set by the Treasury. The Treasury will impose additional charges (currently 28% of the debt). Additional information regarding the DCIA is available at 31 U.S.C. §§ 3701, 3711, 3716, 3717 and 3720B, the Federal Claims Collection Standards (e.g. 31 C.F.R. § 900.1, et seq.) and 47 C.F.R. § 1.1901, et seq.

3. Please be advised that when the debt is transferred, you may be subject to an administrative proceeding if one has not already been initiated (see 47 C.F.R. § 1.1910). For example, information about your delinquent account has been or will be reported to credit bureaus (see 31 U.S.C. § 3711(e)) and administrative offset has been or may be applied (see 31 U.S.C. § 3716). Moreover, under 31 U.S.C. § 3720B, a person owing an outstanding non-tax debt that is in delinquent status shall not be eligible for Federal financial assistance. Furthermore, the Debt may be referred to the United States Department of Justice (DOJ) for enforced collection, which may result in additional administrative costs. Separately, we may also request action by the Commission's Enforcement Bureau.

4. Pursuant to the Commission's DCIA Order (FCC 04-72, released Apr. 13, 2004), the FCC will withhold action on any application or request for benefits made by an entity that is delinquent in its non-tax debts owed to the Commission and shall dismiss such applications or requests if the delinquent debt is not resolved. The Commission has generally referred to this as the "Red Light Rule". This rule applies to the Schools and Libraries Universal Service Support Mechanism. The Fifth Report and Order (FCC 04-190, released Aug. 13, 2004) directed USAC to dismiss any outstanding requests for funding commitments if an entity has not paid the outstanding debt, or made otherwise satisfactory arrangements within 30 days (See Fifth Report and Order at ¶ 42). Therefore, pursuant to the DCIA Order and the Fifth Report and Order, failure to make full payment or arrangements for payment within 30 days of the date of this letter may cause USAC to place you under the provisions of the Red Light Rule. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at [http://www.fcc.gov/debt\\_collection/faq.html](http://www.fcc.gov/debt_collection/faq.html). In determining whether an entity is delinquent for purposes of the Red Light Rule, the Commission matches the FCC Registration Number of the applying entity to its database of debts; the applicant's FCC Registration Number will be linked to all other FCC Registration Number's associated with the same Taxpayer Identification Number (TIN). To obtain an FRN, go to the registration site <https://svartifoss2.fcc.gov/cores/CoresHome.html>

#### Opportunity of Inspection and Review

5. You have an opportunity to inspect and copy the invoices and the records pertinent to the debt. The Notification of Commitment Adjustment Letter constituted notice of your opportunity to appeal the validity of the debt. However, if you have evidence that all or part of the Debt has been paid and is no longer delinquent, you must present it to us within fifteen (15) days of the date of this Demand. If your debt is under appeal, either at USAC or the FCC, you will not be transferred under the DCIA to the Treasury for further collections activities.

#### Opportunity to Request Repayment Agreement

6. You have an opportunity to request a written repayment agreement (which includes a Promissory Note) to pay the full amount of the debt. If due to financial hardship you are unable to pay the full amount of the past due invoice in a lump sum, you may contact our Customer Service Office to request an installment



payment plan, which will require the payment of interest and execution of a promissory note. If you fail to pay the installment payment plan amount in full, plus accrued interest, penalties, and administrative charges, several administrative or judicial actions may result. First, your delinquent account information will be reported to credit bureaus, your account will be subject to administrative action by the FCC and the Treasury, including administrative offset, denial of certain federal benefits, withholding of action on any pending application (see 47 C.F.R. § 1.1910 (Red Light)), and referral to private collection attorneys. Next, we may refer the circumstances of your delinquency to the FCC's Enforcement Bureau for further action. Finally, your delinquent debt may be transferred to either the Treasury for further administrative collection or the DOJ for enforced collection.

To provide evidence that all or part of the Debt has been paid or request an installment payment plan, you may notify us in writing by mail or facsimile transmission at the following address and telephone number:

Schools and Libraries Division-  
Correspondence Unit  
30 Lanidex Plaza West, P.O. Box 685  
Parsippany, NJ 07054-0685  
Phone Number: 973-581-5395  
Fax Number: 973-599-6582

If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181) (Fourth Report and Order), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, this will be indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. **Make your check payable to the Universal Service Administrative Company (USAC).**

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, FedEx, and UPS) please send check payments to:

Universal Service Administrative Company  
Lock Box 105056  
1075 Loop Road  
Atlanta, GA 30337  
Phone: 404-209-6377

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

**PAYMENT MUST BE RETURNED IMMEDIATELY.**

Complete program information is posted to the SLD section of the USAC web site at [www.usac.org/sl/](http://www.usac.org/sl/). You may also contact the SLD Technical Client Service Bureau by

e-mail using the "Submit a Question" link on the SLD web site, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company  
Schools and Libraries Division

cc: William Elliott  
Windstream Communications, LLC



Funding Commitment Adjustment Report  
for Form 471 Application Number: 591853

7-08 to 6-09

Funding Request Number: 1643063  
Services Ordered: TELCOMM SERVICES  
SPIN: 143030766  
Service Provider Name: Windstream Communications, LLC  
Contract Number: T  
Billing Account Number: 870 423 6811  
Site Identifier: 16025716  
Original Funding Commitment: \$457.54  
Commitment Adjustment Amount: \$457.54  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$457.54  
Funds to be Recovered from Applicant: <sup>1</sup> \$457.54

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JUL 02 2015

FCC Mail Room

Funding Commitment Adjustment Explanation:

The FCC received an appeal on your behalf to review USACs decision of the aforementioned FRN. FCC Order DA 15-648 released 5-29-2015 dismissed the petitioners request to review USACs decision. USAC will continue to seek recovery for the following reasons:

After multiple requests for documentation and application review, it has been determined that this funding commitment must be rescinded in full. Services were installed or delivered to ineligible entity The Cradle. This entity is ineligible to receive E-rate discounts. FCC rules require that discounts are to be provided only to entities eligible to receive funding. The Coordinator of E-Rate Services has advised that The Cradle is not recognized by the Arkansas State Library as an eligible public library of the state under the 1996 Library Services and Technology Act. The Cradle is a private library, and Arkansas does not recognize private libraries. Since funding was provided to an ineligible entity, the program rules have been violated. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR  
CHECK TO ENSURE TIMELY PROCESSING

<sup>1</sup>Please note that if the Funds to be Recovered from the Applicant is less than what was reported on the Notification of Commitment Adjustment Letter or the 1st Demand Payment Letter, it is because you have partially repaid the debt or because the Service Provider has partially repaid the debt.

Funding Commitment Adjustment Report  
for Form 471 Application Number: 591853

7-08 to 6-09

Funding Request Number: 1643071  
Services Ordered: INTERNET ACCESS  
SPIN: 143030766  
Service Provider Name: Windstream Communications, LLC  
Contract Number: MTM  
Billing Account Number: 8704236811  
Site Identifier: 16025716  
Original Funding Commitment: \$351.91  
Commitment Adjustment Amount: \$351.91  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$351.89  
Funds to be Recovered from Applicant: <sup>1</sup> \$351.89

Funding Commitment Adjustment Explanation:

The FCC received an appeal on your behalf to review USACs decision of the aforementioned FRN. FCC Order DA 15-648 released 5-29-2015 dismissed the petitioners request to review USACs decision. USAC will continue to seek recovery for the following reasons:

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Funding Commitment Adjustment Report  
for Form 471 Application Number: 652683

7-09 to 6-10

Funding Request Number: 1789361  
Services Ordered: INTERNET ACCESS  
SPIN: 143030766  
Service Provider Name: Windstream Communications, LLC  
Contract Number: MTM  
Billing Account Number: 8704236811  
Site Identifier: 16025716  
Original Funding Commitment: \$383.90  
Commitment Adjustment Amount: \$383.90  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$383.90  
Funds to be Recovered from Applicant: <sup>1</sup> \$383.90

Funding Commitment Adjustment Explanation:

The FCC received an appeal on your behalf to review USACs decision of the aforementioned FRN. FCC Order DA 15-648 released 5-29-2015 dismissed the petitioners request to review USACs decision. USAC will continue to seek recovery for the following reasons:

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Funding Commitment Adjustment Report  
for Form 471 Application Number: 652683

7-09 to 6-10

Funding Request Number: 1789358  
Services Ordered: TELCOMM SERVICES  
SPIN: 143030766  
Service Provider Name: Windstream Communications, LLC  
Contract Number: MTM  
Billing Account Number: 8704236811  
Site Identifier: 16025716  
Original Funding Commitment: \$518.78  
Commitment Adjustment Amount: \$518.78  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$518.78  
Funds to be Recovered from Applicant: <sup>1</sup> \$518.78

Funding Commitment Adjustment Explanation:

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After multiple requests for documentation and application review, it has been determined that this funding commitment must be rescinded in full. Services were installed or delivered to ineligible entity The Cradle. This entity is ineligible to receive E-rate discounts. FCC rules require that discounts are to be provided only to entities eligible to receive funding. The Coordinator of E-Rate Services has advised that The Cradle is not recognized by the Arkansas State Library as an eligible public library of the state under the 1996 Library Services and Technology Act. The Cradle is a private library, and Arkansas does not recognize private libraries. Since funding was provided to an ineligible entity, the program rules have been violated. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

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Funding Commitment Adjustment Report  
for Form 471 Application Number: 711947

7-10 to 6-11

Funding Request Number: 1941225  
Services Ordered: INTERNET ACCESS  
SPIN: 143030766  
Service Provider Name: Windstream Communications, LLC  
Contract Number: MTM  
Billing Account Number: 8704236811  
Site Identifier: 16025716  
Original Funding Commitment: \$383.90  
Commitment Adjustment Amount: \$383.90  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$383.90  
Funds to be Recovered from Applicant: <sup>1</sup> \$383.90

Funding Commitment Adjustment Explanation:

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Funding Commitment Adjustment Report  
for Form 471 Application Number: 711947

7-10 to 6-11

Funding Request Number: 1941233  
Services Ordered: TELCOMM SERVICES  
SPIN: 143030766  
Service Provider Name: Windstream Communications, LLC  
Contract Number: MTM  
Billing Account Number: 8704236811  
Site Identifier: 16025716  
Original Funding Commitment: \$537.79  
Commitment Adjustment Amount: \$537.79  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$495.55  
Funds to be Recovered from Applicant: <sup>1</sup> \$495.55

Funding Commitment Adjustment Explanation:

The FCC received an appeal on your behalf to review USACs decision of the aforementioned FRN. FCC Order DA 15-648 released 5-29-2015 dismissed the petitioners request to review USACs decision. USAC will continue to seek recovery for the following reasons:

After multiple requests for documentation and application review, it has been determined that this funding commitment must be rescinded in full. Services were installed or delivered to ineligible entity The Cradle. This entity is ineligible to receive E-rate discounts. FCC rules require that discounts are to be provided only to entities eligible to receive funding. The Coordinator of E-Rate Services has advised that The Cradle is not recognized by the Arkansas State Library as an eligible public library of the state under the 1996 Library Services and Technology Act. The Cradle is a private library, and Arkansas does not recognize private libraries. Since funding was provided to an ineligible entity, the program rules have been violated. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant

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Funding Commitment Adjustment Report  
for Form 471 Application Number: 789620

7-11 to 6-12

Funding Request Number: 2162153  
Services Ordered: INTERNET ACCESS  
SPIN: 143030766  
Service Provider Name: Windstream Communications, LLC  
Contract Number: MTM  
Billing Account Number: 8704236811  
Site Identifier: 16025716  
Original Funding Commitment: \$383.90  
Commitment Adjustment Amount: \$383.90  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$383.90  
Funds to be Recovered from Applicant: <sup>1</sup> \$383.90

Funding Commitment Adjustment Explanation:

The FCC received an appeal on your behalf to review USACs decision of the aforementioned FRN. FCC Order DA 15-648 released 5-29-2015 dismissed the petitioners request to review USACs decision. USAC will continue to seek recovery for the following reasons:

After multiple requests for documentation and application review, it has been determined that this funding commitment must be rescinded in full. Services were installed or delivered to an ineligible entity, The Cradle. This entity is ineligible to receive E-rate discounts. FCC rules require that discounts are to be provided only to entities eligible to receive funding. The Coordinator of E-Rate Services has advised that The Cradle is not recognized by the Arkansas State Library as an eligible public library of the state under the 1996 Library Services and Technology Act. The Cradle is a private library, and Arkansas does not recognize private libraries. Since funding was provided to an ineligible entity, the program rules have been violated. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

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Funding Commitment Adjustment Report  
for Form 471 Application Number: 789620

7-11 to 6-12

Funding Request Number: 2136463  
Services Ordered: TELCOMM SERVICES  
SPIN: 143030766  
Service Provider Name: Windstream Communications, LLC  
Contract Number: MTM  
Billing Account Number:  
Site Identifier: 16025716  
Original Funding Commitment: \$503.52  
Commitment Adjustment Amount: \$503.52  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$503.52  
Funds to be Recovered from Applicant: <sup>1</sup> \$503.52

Funding Commitment Adjustment Explanation:

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After multiple requests for documentation and application review, it has been determined that this funding commitment must be rescinded in full. Services were installed or delivered to ineligible entity The Cradle. This entity is ineligible to receive E-rate discounts. FCC rules require that discounts are to be provided only to entities eligible to receive funding. The Coordinator of E-Rate Services has advised that The Cradle is not recognized by the Arkansas State Library as an eligible public library of the state under the 1996 Library Services and Technology Act. The Cradle is a private library, and Arkansas does not recognize private libraries. Since funding was provided to an ineligible entity, the program rules have been violated. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

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Funding Commitment Adjustment Report  
for Form 471 Application Number: 831131

7-12 to 6-13

Funding Request Number: 2257216  
Services Ordered: INTERNET ACCESS  
SPIN: 143030766  
Service Provider Name: Windstream Communications, LLC  
Contract Number: MTM  
Billing Account Number: 8704236811  
Site Identifier: 16025716  
Original Funding Commitment: \$383.90  
Commitment Adjustment Amount: \$383.90  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$383.90  
Funds to be Recovered from Applicant: <sup>1</sup> \$383.90

Funding Commitment Adjustment Explanation:

The FCC received an appeal on your behalf to review USACs decision of the aforementioned FRN. FCC Order DA 15-648 released 5-29-2015 dismissed the petitioners request to review USACs decision. USAC will continue to seek recovery for the following reasons:

After multiple requests for documentation and application review, it has been determined that this funding commitment must be rescinded in full. Services were installed or delivered to ineligible entity The Cradle. This entity is ineligible to receive E-rate discounts. FCC rules require that discounts are to be provided only to entities eligible to receive funding. The Coordinator of E-Rate Services has advised that The Cradle is not recognized by the Arkansas State Library as an eligible public library of the state under the 1996 Library Services and Technology Act. The Cradle is a private library, and Arkansas does not recognize private libraries. Since funding was provided to an ineligible entity, the program rules have been violated. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

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Funding Commitment Adjustment Report  
for Form 471 Application Number: 831131

7-12 to 6-13

Funding Request Number: 2257221  
Services Ordered: TELCOMM SERVICES  
SPIN: 143030766  
Service Provider Name: Windstream Communications, LLC  
Contract Number: MTM  
Billing Account Number: 8704236811  
Site Identifier: 16025716  
Original Funding Commitment: \$616.51  
Commitment Adjustment Amount: \$616.51  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$587.33  
Funds to be Recovered from Applicant: <sup>1</sup> \$587.33

Funding Commitment Adjustment Explanation:

The FCC received an appeal on your behalf to review USACs decision of the aforementioned FRN. FCC Order DA 15-648 released 5-29-2015 dismissed the petitioners request to review USACs decision. USAC will continue to seek recovery for the following reasons:

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Funding Commitment Adjustment Report  
for Form 471 Application Number: 879327

7-13 to 6-14

Funding Request Number: 2419934  
Services Ordered: INTERNET ACCESS  
SPIN: 143030766  
Service Provider Name: Windstream Communications, LLC  
Contract Number: MTM  
Billing Account Number: 8704236811  
Site Identifier: 16025716  
Original Funding Commitment: \$383.90  
Commitment Adjustment Amount: \$383.90  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$255.94  
Funds to be Recovered from Applicant: <sup>1</sup> \$255.94

Funding Commitment Adjustment Explanation:

The FCC received an appeal on your behalf to review USACs decision of the aforementioned FRN. FCC Order DA 15-648 released 5-29-2015 dismissed the petitioners request to review USACs decision. USAC will continue to seek recovery for the following reasons:

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Funding Commitment Adjustment Report  
for Form 471 Application Number: 879327

7-13 to 6-14

Funding Request Number: 2419931  
Services Ordered: TELCOMM SERVICES  
SPIN: 143030766  
Service Provider Name: Windstream Communications, LLC  
Contract Number: MTM  
Billing Account Number: 8704236811  
Site Identifier: 16025716  
Original Funding Commitment: \$615.07  
Commitment Adjustment Amount: \$615.07  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$410.03  
Funds to be Recovered from Applicant: <sup>1</sup> \$410.03

Funding Commitment Adjustment Explanation:

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